

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 12-2004)

ATTORNEY'S DOCKET NUMBER

UCIVN-025US

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

TBD

107530603

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO.  
PCT/US2003/032654INTERNATIONAL FILING DATE  
14 October 2003PRIORITY DATE CLAIMED  
11 October 2002

## TITLE OF INVENTION

STAND-ALONE CIRCLE CIRCUIT WITH CO<sub>2</sub> ABSORPTION AND SENSITIVE SPIROMETRY FOR MEASUREMENT OF PULMONARY UPTAKE

## APPLICANT(S) FOR DO/EO/US

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

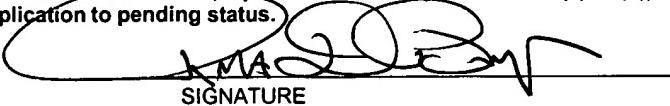
1.  This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4.  The US has been elected (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10.  An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11.  A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12.  A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 23 below concern document(s) or information included:

13.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15.  A **FIRST** preliminary amendment.
16.  A **SECOND** or **SUBSEQUENT** preliminary amendment.
17.  A substitute specification.
18.  A power of attorney and/or change of address letter.
19.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20.  A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21.  A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22.  Express Mail Label No. EV330332852US
23.  Other items or information:

Postcard

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/530603</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US2003/032654</b>		ATTORNEY'S DOCKET NUMBER <b>UCIVN-025US</b>																		
24. The following fees are submitted: <table> <tr> <td><input checked="" type="checkbox"/> a) Basic national fee .....</td> <td>\$300.00</td> <td><input type="checkbox"/> Applicant use</td> <td><input type="checkbox"/> Office use</td> </tr> <tr> <td><input type="checkbox"/> b) Examination fee .....</td> <td>\$200.00</td> <td>\$</td> <td>\$300.00</td> </tr> <tr> <td><input type="checkbox"/> c) Search fee .....</td> <td>\$500.00</td> <td>\$</td> <td>\$0.00</td> </tr> <tr> <td colspan="2"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$1000.00</td> <td>\$</td> <td>\$0.00</td> </tr> </table> <p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</p>						<input checked="" type="checkbox"/> a) Basic national fee .....	\$300.00	<input type="checkbox"/> Applicant use	<input type="checkbox"/> Office use	<input type="checkbox"/> b) Examination fee .....	\$200.00	\$	\$300.00	<input type="checkbox"/> c) Search fee .....	\$500.00	\$	\$0.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$1000.00	\$	\$0.00
<input checked="" type="checkbox"/> a) Basic national fee .....	\$300.00	<input type="checkbox"/> Applicant use	<input type="checkbox"/> Office use																			
<input type="checkbox"/> b) Examination fee .....	\$200.00	\$	\$300.00																			
<input type="checkbox"/> c) Search fee .....	\$500.00	\$	\$0.00																			
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$1000.00	\$	\$0.00																		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE																			
17 - 100 =	-83 /50 =	0	x \$250.00	\$	\$0.00																	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).																						
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																			
Total claims	22 - 20 =	2	x \$50.00	\$	\$100.00																	
Independent claims	2 - 3 =	0	x \$200.00	\$	\$0.00																	
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00 \$ \$0.00																						
<b>TOTAL OF ABOVE CALCULATIONS =</b> \$ \$400.00																						
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.																						
<b>SUBTOTAL =</b> \$ \$200.00																						
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).																						
<b>TOTAL NATIONAL FEE =</b> \$ \$200.00																						
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property + \$ \$0.00																						
<b>TOTAL FEES ENCLOSED =</b> \$ \$200.00																						
Amount to be refunded:																						
Amount to be charged:																						
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>\$200.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is _____ c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0878</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																						
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.																						
SEND ALL CORRESPONDENCE TO:																						
Robert D. Buyan Stout, Uxa, Buyan & Mullins, LLP 4 Venture, Suite 300 Irvine, CA 92618																						
 SIGNATURE																						
Robert D. Buyan NAME <u>32, 460</u> REGISTRATION NUMBER																						
Customer No. 33197																						

1530603

JC06 Rec'd PCT/PTO 07 APR 2005

Attorney Docket No. UCIVN-025US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: ) Art Unit: To Be Determined  
Peter H. Breen )  
Serial No.: To Be Determined ) Examiner: To Be Determined  
Corresponding to: )  
PCT/US2003/032654 )  
Filed: April 7, 2005, Herewith )  
For: Stand-Alone Circle Circuit with )  
Co2 Absorption and Sensitive )  
Spirometry for Measurement of )  
Pulmonary Uptake )

**CERTIFICATE OF MAILING**

(United States National Stage Application Based on PCT/US2003/032654)

Express Mail Label No: EV330332852US

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on April 7, 2005, addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

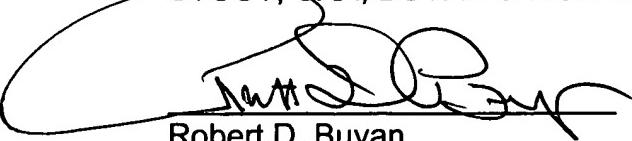
1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371;
2. Copy of International Application as Filed/Published under the PCT, (10 pages of written specification, 6 pages of claims, 2 sheets of drawings (Figs. 1-2) and an abstract of 1 page);
3. Check No. 3736 in the amount of \$200.00 to cover national stage filing fees;
4. A return postcard.

71530603  
JC06 Rec'd PCT/PTO 07 APR 2005

Each of the 4 above-identified documents are enclosed herewith.

Respectfully submitted,

STOUT, UXA, BUYAN & MULLINS, LLP



Robert D. Buyan  
Registration No. 32, 460

Date: April 7, 2005

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Irvine, CA 926182  
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Fax: (949) 450-1764